

Submitted September 12, 2012
Approved as of
Date September 19, 2012

**MINUTES OF THE ROCKVILLE PLANNING COMMISSION
MEETING NO. 18-2012
Wednesday, August 8, 2012**

The City of Rockville Planning Commission convened in regular session in the Mayor and Council Chambers at 7:00 p.m., Wednesday, August 8, 2012.

PRESENT

John Tyner, Chair Pro Tem
Don Hadley
Kate Ostell
Dion Trahan
Jack Leiderman

Absent: David Hill
Jerry Callistein

Present: Andrew Gunning, Assistant Director, CPDS
Marcy Waxman, Senior Assistant City Attorney
Jim Wasilak, Chief of Planning
Bobby Ray, Principal Planner
Margaret Hall, Planner II
Nicole Walters, Planner II
Cas Chasten, Planner III

I. COMMISSION ACTION ITEMS

- A. STP2012-00112, Site Plan, 1900 Chapman Project Owner, LLC**, for the development of the former Syms property with 658 multi-unit residential dwellings, first floor amenity space, first floor office use tenant space and associated parking in the MXTD Zone at 1900 Chapman Avenue.

Margaret Hall presented the staff report.

Rebecca Torma with the Department of Public Works, answered questions regarding the traffic study, specifically concerning intersection mitigation.

Nancy Regelin, Zoning Counsel for Shulman Rogers representing the applicant, provided a brief presentation of the application and introduced the builder, Hines.

Matt Hurson, Managing Director at Hines, DC provided a brief overview of the company and the proposed development.

Robert Stuart, continued the presentation with a more detailed summary of the proposed project.

Scott Harvey with Phoenix Noise and Vibration provided a basic summary of the dynamics of noise and how it is measured.

The following citizens addressed the Commission:

Joe McClane, President of Cambridge Walk II HOA, is in favor of the project stating that Hines actually listened to the residents and incorporated their suggestions into their plan.

Anne Goodman, 1109 Claggett Drive, is concerned about the growth in and around the Twinbrook area, stating that it's getting out of hand, but is in favor of the proposed site development. She asked if a traffic study of Edmonston Drive and Twinbrook Parkway be conducted to investigate the safety, infrastructure and traffic.

Jim Farrelly, 1109 Claggett Drive is concerned about the potential lack of adequate parking, PEPCO rates increasing and rampant growth.

Sam Shipkovitz requested an opinion on quorum and Ms. Waxman quoted Section 5.6 of the Planning Commission Rules of Procedure in answer to his question, insidcating that a quorum was present.

He is not in favor of the project and is concerned about possible parking issues and overcrowding. He stated he doesn't want people parking in his neighborhood. Mr. Shipkovitz further stated that water/sewer requirements are not up to par and would be stressed. Finally, he asked Ms. Regelin to conduct a title search to see exactly who owns the land.

Lee Howard, owner of Urban B-BQ at 2007 Chapman Avenue spoke in favor of the proposed development, stating the area is showing signs of revitalization.

Erin Fitzgerald, 501 Hungerford Drive, works at nearby Davis Construction and spoke in favor of the proposed development.

Sheryl Cort, Policy Director for the Coalition for Smarter Growth, stated her organization has tracked the planning and redevelopment around the Twinbrook Metro Station. She is in support of the proposed development and commends the addition of MPDU's to the complex. Ms. Cort also suggested car sharing opportunities be investigated to reduce parking issues.

Christina Ginsberg, 1204 Simmons Drive, and president of the Twinbrook Citizens Association is neutral on the proposed development and appreciates the fact that the developer has listened to the residents by incorporating their (residents) suggestions into their plan.

Brigitta Mullican, 1947 Lewis Avenue is in favor the proposed development but does not want a wall around it. She says she is excited about the bike locker, and is in favor of the transformer enclosures.

Commissioner Hadley moved, seconded by Commissioner Ostell, to approve the site plan application STP2012-00112 for 1900 Chapman Avenue, on the findings that are set forth in the Staff Report on pages 21-24, are adopted; and Conditions 1-34, offered in the Staff Report, with the addition of Condition #35 “that leases for the tenants include due notification of the proximity to the CSX and Metro tracks”. The motion passed on a 5-0 vote (Chair Hill and Commissioner Callistein absent).

Commissioner Ostell moved, seconded by Commissioner Hadley, to waive the requirement for the underground transformer based on Conditions A and B found in Section 25.17.3.C of the Zoning Ordinance. The motion passed on a 5-0 vote (Chair Hill and Commissioner Callistein absent).

Commissioner Hadley moved, seconded by Commissioner Ostell, that the Commission approve a deviation from the Environmental Guidelines, specifically that a sound wall not be installed because it will have an adverse impact upon the redevelopment of the project both in its height, dimension and aesthetics and its failure to correspond to the noise situation. The motion passed on a 5-0 vote (Chair Hill and Commissioner Callistein absent).

- B. PLT2012-00518, Final Record Plat**, to create a record lot containing 25,514 square feet from the deeded property located at 369 Hungerford Drive in the MXCD Zone.

Nicole Walters presented the Staff Report.

Soo Lee Cho, attorney for applicant PNC Bank, was available to answer questions from the Commission.

Commissioner Ostell moved, seconded by Commissioner Hadley, to approve the Final Record Plat PLT2012-00518, to create a record lot containing 25,514 square feet from the deeded property located at 369 Hungerford Drive. The motion passed on a 4-0 vote (Commissioner Trahan was absent when the vote was taken, Chair Hill and Commissioner Callistein absent).

- C. PRJ2012-11702, Mandatory Referral Application, 51 Mannakee Street (Montgomery College)**, a proposal to renovate, modernize, and expand existing Science West Classroom Building located on the Rockville Campus of Montgomery College.

Cas Chasten presented the Staff Report.

Soo Lee Cho, attorney for Montgomery College, asked that the Commission approve the mandatory referral stating that the Conditions will be presented to the Board of Trustees for consideration and the College intends to provide a written response to the City within sixty days from the date of the Commission's consideration.

Councilmember Pierzchala read a letter into the record from Elyse Gussow, a member of the Board of Directors of Plymouth Woods Homeowners Association.

Sandra Phillipi, Facilities Management at Montgomery College and Janet Fubar, Acting Vice President of Facilities and Security stated that the college complies with both the City of Rockville and Montgomery County noise ordinances.

Soo Lee Cho answered questions regarding the noise pollution from the Commission, stating that the college comports to the noise ordinance requirements and the College has an open dialogue with nearby residents.

Commissioner Ostell moved, seconded by Commissioner Hadley, to approve the Mandatory Referral with the Findings on page 10 and Conditions on page 11. The motion passed on a 5-0 vote (Chair Hill and Commissioner Callistein absent).

II. COMMISSION ITEMS

- A. Staff Liaison Report – Mr. Gunning provided an update on upcoming Commission meetings
- B. Old Business – None
- C. New Business – The Commission discussed the dissemination of information for Town Center II.
- D. Minutes – Commissioner Ostell moved, seconded by Commissioner Hadley to approve the June 27, 2012 Minutes for Meeting 15-12. The motion passed on a 5-0 vote (Chair Hill and Commissioner Callistein absent).

Commissioner Ostell moved, seconded by Commissioner Trahan to approve the July 25, 2012 Minutes for Meeting 17-12. The motion passed on a 5-0 vote (Chair Hill and Commissioner Callistein absent).

- E. FYI Correspondence

III. ADJOURN

There being no further business Commissioner Tyner moved to adjourn the meeting at 11:28p.m.

Respectfully Submitted,

Sandra Y. Driver, Commission Secretary